

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

VS.

CAUSE NO. 1:12-cr-00167-SA-DAS-2

DENORRIS HOWELL

MOTION FOR SENTENCE REDUCTION PURSUANT TO  
18 U.S.C. § 3582 AND RETROACTIVE AMENDMENT 782, U.S.S.G.

Defendant, Denorris Howell, by and through counsel, moves the Court for a reduction in sentence pursuant to 18 U.S.C. § 3582, Sentencing Guidelines §1B1.10, and Amendment 782, and would respectfully show as follows:

1. Defendant, Denorris Howell, was convicted of conspiracy to possess with intent to distribute cocaine and marijuana and sentenced to a term of 71 months of imprisonment by Judgment imposed on November 14, 2013.

2. During the sentencing hearing, this Court made factual determinations regarding the quantity of drugs attributable to the defendant, together with the applicable Guidelines offense level and Criminal History Category. Denorris Howell is currently serving the sentence imposed.

3. This case has been reviewed by the United States Probation Service, the United States Attorney's Office, and the Office of the Federal Public Defender, who all concur that Denorris Howell is eligible for a reduction of his sentence by retroactive application of Sentencing Guidelines Amendment 782 to drug offenses pursuant to 18 U.S.C. § 3582(c) and policy statement § 1B1.10.<sup>1</sup>

4. In general, § 3582(c)(2) authorizes the district court to re-calculate Defendant's sentencing range under the amendment, and determine an appropriate sentence in accordance with

---

<sup>1</sup> The drug Guidelines at §§ 2D1.1 and 2D1.11 were amended effective November 1, 2014. See U.S.S.G. Amendment 782. The Sentencing Commission has determined these amended guidelines are retroactive for purposes of policy statement U.S.S.G. § 1B1.10.

the applicable § 3553(a) factors. The policy statement § 1B1.10 provides that courts have discretion in determining whether, and to what extent, to reduce the sentence for any person eligible to be considered for retroactive application of an amended Guideline. U.S.S.G. § 1B1.10, comment. (n.1).

5. As amended, the applicable Guidelines range for Denorris Howell will decrease by two levels. Utilizing the same Criminal History Category, and upon agreement between the defendant and counsel for the U.S. Attorney's Office, the parties hereby propose a sentence of 57 months of imprisonment, with the term of supervised release being unchanged. Denorris Howell respectfully requests that this Honorable Court enter an order to that effect.

REQUESTED RELIEF

Based on the grounds set forth above, Defendant, Denorris Howell, respectfully requests that the Court enter an order reducing the previously imposed sentence to a term of 57 months.

Respectfully submitted,

DENORRIS HOWELL

/s/ Gregory S. Park

GREGORY S. PARK, MSB #9419

Assistant Federal Public Defender

1200 Jefferson Avenue, Suite 100

Oxford, Mississippi 38655

Telephone: (662) 236-2889

Fax: (662) 234-0428

[greg\\_park@fd.org](mailto:greg_park@fd.org)

CERTIFICATE OF SERVICE

I, Gregory S. Park, attorney for Defendant, Denorris Howell, do hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and that the following party will be notified electronically of filing:

Hon. Paul D. Roberts, AUSA  
[paul.roberts@usdoj.gov](mailto:paul.roberts@usdoj.gov)

Dated, this the 13<sup>th</sup> day of May, 2015.

/s/ Gregory S. Park

GREGORY S. PARK  
Assistant Federal Public Defender